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9 **UNITED STATES DISTRICT COURT**  
10 **NORTHERN DISTRICT OF CALIFORNIA**  
11 **SAN FRANCISCO DIVISION**

12 CARL ALEXANDER WESCOTT,  
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14 Plaintiff,

15 v.

16 MONETTE STEPHENS and MICHELLE  
HARRIS,

17 Defendants.  
18  
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Case No.: 3:17-CV-05837-WHO

**[PROPOSED] ORDER GRANTING  
DEFENDANT MICHELLE HARRIS’S  
MOTION TO STRIKE PLAINTIFF’S  
SUR-REPLY AND REQUESTED ORDER  
PROHIBITING PLAINTIFF FROM  
FILING ADDITIONAL PAPERS.**

Date: April 4, 2018  
Time: 2:00 p.m.  
Courtroom: 2, 17<sup>th</sup> Floor  
Judge: William H. Orrick

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21 Defendant Michelle Harris’ (“Harris”) Motion to Strike Plaintiff Carl Wescott’s (“Plaintiff”) Motion for Leave to File Sur-Reply (to Reply to Response to Defendant’s Motion to Dismiss)” (hereinafter “Sur-Reply”) came on regularly for hearing at the above date, time, and location. Having considered the pleadings and arguments of counsel and authority filed in support thereof,

25 **IT IS HEREBY ORDERED THAT:**

- 26 • Harris’ Motion to strike Plaintiff’s sur-reply is GRANTED. The Court will not permit  
27 Plaintiff’s Sur-Reply to be filed, nor will it consider the arguments raised therein in  
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1 opposition to Harris' motion to dismiss and motion to strike.

- 2 • Plaintiff is prohibited from filing additional papers related to Harris' motion to dismiss and  
3 motion to strike unless specifically requested by the Court.

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5 Dated: \_\_\_\_\_

6 By \_\_\_\_\_  
7 HONORABLE JUDGE WILLIAM H. ORRICK  
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**CERTIFICATE OF SERVICE**

I, Maria Diazgranados, declare:

I am a citizen of the United States, am over the age of eighteen years, and am not a party to or interested in the within entitled cause. My business address is 88 Kearny Street, 10th Floor, San Francisco, California 94108.

On March 20, 2018, I served the following document(s) on the parties in the within action:

**MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF DEFENDANT MICHELLE HARRIS' MOTION TO STRIKE PLAINTIFF'S SUR-REPLY PURSUANT TO FRCP RULE 12(F).**

**DEFENDANT MICHELLE HARRIS'S NOTICE OF MOTION AND MOTION TO STRIKE SUR-REPLY PURSUANT TO FRCP 12(F) AND REQUESTED ORDER THAT PLAINTIFF NOT FILE ADDITIONAL PAPERS**

**[PROPOSED] ORDER GRANTING DEFENDANT MICHELLE HARRIS'S MOTION TO STRIKE PLAINTIFF'S SUR-REPLY AND REQUESTED ORDER PROHIBITING PLAINTIFF FROM FILING ADDITIONAL PAPERS.**

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**VIA MAIL:** I am familiar with the business practice for collection and processing of mail. The above-described document(s) will be enclosed in a sealed envelope, with first class postage thereon fully prepaid, and deposited with the United States Postal Service at San Francisco, California on this date, addressed as listed below.

Carl Alexander Wescott  
P.O. Box 190875  
San Francisco, CA  
E-mail: c@carlawescott.com  
Phone: (415) 335-5000

Attorney For Plaintiff in Propria Persona

I declare under penalty of perjury under the laws of the State of California that the foregoing is a true and correct statement and that this Certificate was executed on March 20, 2018.

By: Maria Diazgranados  
Maria Diazgranados